



IT IS ORDERED as set forth below:

Date: September 19, 2018

James R. Sacca
U.S. Bankruptcy Court Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:

DULUTH TRAVEL, INC.,

Debtor.

CHAPTER 11

CASE NO. 18-54894-jrs

**FIFTH INTERIM ORDER REGARDING DEBTOR'S EXISTING
DEPOSITORY ACCOUNTS AND CASH MANAGEMENT SYSTEM**

This matter came before the Court for hearing on September 18, 2018, on the Motion for Authority to Maintain Existing Depository Bank Account and Cash Management System (“**Motion**”) filed by Duluth Travel, Inc. (“**Duluth**”). Duluth further announced at the initial hearing on the Motion, on March 27, 2018, that it had one account at Bank of America (“BOA”), an authorized depository, with an account ending in 5152 (“BOA Account”), which it opened pre-petition.

This Court has considered the Motion and the arguments made at the Hearing. It appears that the Court has jurisdiction over this matter; that it is a core proceeding; that notice has been provided as required by the Order on Motion for Expedited Hearing; that no further notice is necessary; that the relief sought in the Motion, on an interim basis, is in the best interests of Debtor, its estate and its creditors; and that good cause has otherwise been shown for the relief sought in the Motion on an interim basis. Accordingly, it is hereby

ORDERED that, on an interim basis, Debtor is authorized to maintain its existing depository bank accounts with Gwinnett Community Bank (“**GCB**”) which accounts consist of: 1) Operating, account ending in 3237; 2) Costa Rica, accounting ending in 0264; 3) Save the Children, account ending in 4917; and 4) VA, account ending in 2068, as well as the BOA Account (collectively, “**Accounts**”). The Accounts are permitted to retain the same account numbers and, subject to any restrictions on the accounts set forth below, the Accounts may be treated as the accounts for the Debtor-in-Possession; and it is further

ORDERED that, during the interim time period, Debtor shall designate the Accounts as the Debtor-in-Possession depository accounts as of the date this case was filed; and it is further

ORDERED that, during the interim time period, Debtor may use pre-existing check stock and deposit slips for the Accounts, provided, however that Debtor stamp “DIP” and the applicable case number on existing stock; and it is further

ORDERED that, during the interim time period, GCB is authorized to continue to service and administer the Accounts held at GCB as the accounts of the Debtor-in-

Possession and may, in the usual and ordinary course, receive, process, honor and pay all checks, drafts, wires or other automated transfers drawn on the Accounts; and it is further

ORDERED that, during the interim time period, Debtor and GCB are authorized to continue to perform pursuant to the terms of any pre-petition agreements that may exist between them with respect to the Accounts held at GCB and shall continue to enjoy the rights and remedies afforded to them under any such agreement, except to the extent modified by this Order or by operation of the United States Bankruptcy Code; provided, however, nothing contained in this Order shall be interpreted as imposing any additional service obligations on GCB, and it is further

ORDERED that, to the extent the ten-day stay imposed by Federal Rule of Bankruptcy Procedure 6004(h) may be construed to apply to the subject matter of this Order, such stay is hereby waived; and it is further

ORDERED that the Court will hold a continued hearing regarding the Motion in the *U.S. Bankruptcy Court, Courtroom 1404, 75 Ted Turner Drive, SW, Atlanta, Georgia, on October 18, 2018, at 9:30 A.M.*; and it is further

ORDERED that the Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

[END OF DOCUMENT]

Prepared and Presented by:

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